THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.21553 of 1997

Dated 20-02-2007

Between:
M.V.Gopala Rao.

..... PETITIONER

AND

The Divisional Engineer, (Operations) APSEB, Bobbili, Vizianagaram District & another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.21553 of 1997

O R D E R:

The relief sought for in this writ petition is for a direction to the respondents to suspend the impugned Memo No.AD/U1/D.5479/83, dated 21-12-1983. The action of the respondents in not releasing the increments since 01-12-1983 is also challenged as being illegal.

It is relevant to note that through the impugned memo dated 21-12-1983, the petitioner was informed that the increment sanctioned with effect from 01-12-1983, in the office memo dated 08-12-1983, was cancelled as disciplinary proceedings were pending against him as on the date of increment. It is necessary to note that in Memo No.AD/U1/D.No.134/83, dated 21-12-1983, the petitioner was imposed the punishment of stoppage of two annual increments with cumulative effect besides recovering the arrears of C.C Charges to a tune of Rs.475.20 ps. upto
02-04-1983, the date on which the service was inspected by Assistant Divisional Engineer (Operation), Parvathipuram, in three instalments, from the pay bills, from December, 1983 to February, 1984.

The order of punishment is not under challenge in this writ petition. Since the petitioner had been imposed the punishment of stoppage of two annual increments with cumulative effect, the question of his being paid the increments pursuant to the office memo dated 08-12-1983 does not arise. In the absence of a specific challenge to the order of punishment and in view of the fact that the petitioner had invoked the jurisdiction of this Court in 1997, 14 years after the impugned memo was issued and there is no explanation,

much less a reasonable explanation, for the inordinate delay in invoking the jurisdiction of this Court, the Writ Petition fails and is accordingly dismissed. No order as to costs.

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20-02-2007

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